

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA, and)
LOS ALAMOS NATIONAL SECURITY LLC,)**

Plaintiffs,)

No. 1:10-CV-01251 MCA/WPL

v.)

**NEW MEXICO ENVIRONMENT)
DEPARTMENT, et al.)**

Defendants,)

and)

**CONCERNED CITIZENS FOR NUCLEAR)
SAFETY,)**

Intervening Defendant.)

TWENTY-SEVENTH JOINT STATUS REPORT ON SETTLEMENT NEGOTIATIONS

Pursuant to the Court’s direction during the January 9, 2012 status conference in this matter, the plaintiff United States of America on behalf of the United States Department of Energy (“United States”); the defendant New Mexico Environment Department (“NMED”); the intervenors Los Alamos National Security LLC (“LANS”) and Concerned Citizens for Nuclear Safety (“CCNS”), collectively the “Parties”, hereby respectfully submit this Joint Status Report on the settlement negotiations in this matter.

As noted in prior Joint Status Reports filed with this Court, at the settlement conference before Magistrate Judge Torgerson on August 30, 2012, NMED reported it is willing to settle along the lines of the United States’ July 24, 2012, letter which set forth the Plaintiffs’ position on all

outstanding issues. A first draft settlement agreement has been prepared and was submitted to NMED and CCNS. The parties have since circulated multiple drafts and revisions of the settlement agreement. *See* Twenty-sixth Joint Status Report, ECF No. 126, at 2. The United States, NMED, and LANS anticipate reaching agreement on the language of a recommended settlement agreement.

Parallel administrative discussions between NMED, LANS and the United States regarding a draft permit related to the settlement also remain ongoing. Both technical and legal meetings have occurred, which have resulted in progress towards resolving the remaining issues in this matter. There have been a series of productive communications between the state and federal agencies and LANS. Additional meetings may occur, depending on the status of the correlated ground water discharge permit.

A telephonic status conference in this matter was held on January 21, 2016, before Magistrate Judge Lynch. A further status conference is scheduled for August 2, 2016. ECF 121. Discovery in this matter has been stayed until July 29, 2016. ECF No. 122.

Respectfully submitted,

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/s Eileen T. McDonough

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Counsel for Concerned Citizens for Nuclear Safety

July 1, 2016

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2016, I filed the foregoing Status Report with the Court's CM/ECF system, which will electronically serve all counsel of record.

/s Eileen T. McDonough

Eileen T. McDonough